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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/721,700	11/27/2000	Hang Zhang	PAT 324-2	4038

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EXAMINER	
NGUYEN, PHUONGCHAU BA	
ART UNIT	**PAPER NUMBER**
2665	

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/721,700	ZHANG, HANG	
	Examiner	Art Unit	
	Phuongchau Ba Nguyen	2665	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 January 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schoch (5,973,609) in view of Chang (6,850,508).

Regarding claims 1, 10, 19:

Schoch (5,973,609) discloses a method for assembling a forward link traffic frame for transmission of a plurality of packets over a radio link, comprising:

(i) determining a plurality of packets associated to a group (fig.4); and

(ii) assembling the group of determined packets in a forward link traffic frame (fig.4);

(iii) providing an identification of the group in the forward link traffic frame (fig.4); and

(iv) providing an identification of a destined terminal for each of the determined packets in the group (fig.4, col.8, line 40).

Schoch does not disclose a forward link traffic multiplexing frame. However, in the same field of endeavor, Chang (6,850,508) discloses a forward link traffic multiplexing frame (figs.5). Therefore, it would have been obvious to an artisan to apply Chang's teaching to Schoch's system with the motivation being to variable length data according to radio link protocol.

Regarding claims 2, 11, 20:

Schoch discloses wherein providing the identification of the group includes providing a group identifier (48-fig.4).

Regarding claims 3, 12, 21:

Schoch discloses wherein providing the identification of the group includes providing a group identification field (48-fig.4).

Regarding claims 4, 13-14:

Schoch discloses a group length field (length 14-11 of 48-fig.4).

Regarding claim 5:

Schoch discloses a group number field (fig.4).

Regarding claims 6, 15, 22-23:

Schoch discloses providing the identification of the destined terminal for each of the determined packets includes providing a sub-user identifier (col.5, line 37-col.6, line 37).

Regarding claims 7, 16:

Schoch discloses assembling a plurality of groups in the forward link multiplexing frame (figs.4-5).

Regarding claim 8:

Schoch discloses all claimed limitations, except providing a multiplex header for the forward link traffic multiplexing frame. Chang discloses a multiplex header for the forward link traffic multiplexing frame (figs.5). Therefore, it would have been obvious to an artisan to apply Chang's teaching to Schoch's system with the motivation being to variable length data according to radio link protocol.

Regarding claims 9, 17-18:

Schoch discloses the multiplex header includes a number field indicating a number of groups in the forward link traffic multiplexing frame (48-fig.4; col.8, lines 13-16).

Regarding claim 24:

Schoch discloses a wireless access network for transmitting a plurality of packets over a radio link, comprising:

a scheduler (controller 10-fig.3) for scheduling a plurality of packets for transmission over a radio link (col.5, line 63-col.6, line 37)

assembling a forward link traffic frame by determining which packets are associated to a group, assembling the group of determined packets in the forward link

traffic frame, providing an identification of the group in the forward link traffic frame, and providing an identification of a destined terminal for each of the determined packets in the group (figs.4-5; col.5, line 37-col.6, line 37).

Schoch does not disclose a multiplexer for assembling a forward link traffic multiplexing frame. However, in the same field of endeavor, Chang (6,850,508) discloses a multiplexer for assembling forward link traffic multiplexing frame (figs.2, 5). Therefore, it would have been obvious to an artisan to apply Chang's teaching to Schoch's system with the motivation being to variable length data according to radio link protocol.

Election/Restrictions

3. Claims 19-23 are directed to an allowable product. Pursuant to the procedures set forth in the Official Gazette notice dated March 26, 1996 (1184 O.G. 86), claims 19-23, directed to the process of making or using the patentable product, previously withdrawn from consideration as a result of a restriction requirement, claims 19-23 are now subject to being rejoined. Claims 19-23 are hereby rejoined and fully examined for patentability under 37 CFR 1.104.

Since all claims previously withdrawn from consideration under 37 CFR 1.142 have been rejoined, the restriction requirement made in the Office action mailed on 12-15-4 is hereby withdrawn.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuongchau Ba Nguyen whose telephone number is 571-272-3148. The examiner can normally be reached on Monday-Friday from 10:00 a.m. to 2:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phuongchau Ba Nguyen
Examiner
Art Unit 2665

STEVEN NGUYEN
PRIMARY EXAMINER